CUSTOMER NO.: 24737

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of J. THIJS, et al.	)	Examiner: I. JAMA
	)	Art Unit: 2617
Serial No.: 10/596,424	)	
	)	Confirmation: 6445
Filed: June 6, 2007	)	
	)	
For: **EMERGENCY RESPONSE DEVICE FOR SUMMONING A RESPONDER AND ROUTING SAID RESPONDER TO A VICTIM**	)	
	)	
Date of Last Office Action: January 6, 2011	)	
	)	
Attorney Docket No.: PHNL031475US1 / PKRX200117US01	)	Cleveland, OH 44114 July 6, 2011

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicant requests review of the Final Rejection of January 6, 2011 in the present application. No Amendments are being filed with this request.

The Notice of Appeal and Notice of Appeal Fee are being filed contemporaneously herewith.

REMARKS

The present application relates to an emergency response system for summoning and routing potential emergency responders to the location of a victim. The system comprises a central station configured to receive and store information and locations of emergencies. The central station is also configured to transmit a trigger signal to a selected remote emergency response device(s) to start a broadcast to attract as many potential emergency responders as possible to the emergency response device. Once an emergency responder reaches the emergency response device and interacts with it, only then does the emergency response device establish a connection with the navigation system. Waiting until a responder has interacted with the emergency response device reduces power (battery) consumption (see pg. 3, l. 23 - pg. 4, l. 12 of the present application). Because the emergency response device, e.g., a defibrillator, requires significant power to treat the victim, a weakened battery could compromise the efficacy of treatment.

Specifically, **claim 11** calls for activating a navigation unit in response to detecting an interaction between the emergency responder and the emergency response device. In the Office Action at page 6, lines 14-18, the Examiner argues that Lowell functions in a manner which does not meet this claim limitation. Specifically, the Examiner argues that Lowell teaches that the guidance unit determines the routing as a part of the reception of the alarm signal so the guidance unit will immediately guide the emergency response person to the victim.

In particular, **claim 11** calls for activating the navigation unit in response to interaction between the emergency responder and the emergency response device; whereas, the Examiner argues that Lowell activates the guidance unit on reception of the alarm signal so that the routing is immediately available to guide the emergency response person to the victim. Therefore, **claim 11** recites at least one claimed element or limitation that is not disclosed in the cited reference. In particular, Lowell does not teach or suggest a navigation unit to be activated in response to detecting an interaction between the responder and the emergency response device. As the Examiner points out, an alarm signal is used in Lowell for activation. An alarm signal does not constitute detecting an interaction between the responder and the emergency response device, as claimed in claim 11.

Accordingly, it is submitted that that **claim 11** and **claims 13, 20-21, and 25** dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 14 calls for a navigation unit which, in response to detecting an interaction of the emergency responder with the emergency response device, determines a route for the emergency responder. On page 6 of the Office Action, the Examiner asserts that the guidance unit of Lowell does not work in the above-resided manner, but rather in response to the reception of the alarm signal. This fails to achieve the advantages set forth on page 4, lines 9-12 of conserving energy, which is particularly important in battery-powered units.

Because the applied references, even by the Examiner's interpretation of them, do not disclose or fairly teach all of the limitations of claim 14, it is submitted that **claim 14 and claims 3, 15, 16, 17, 23, and 26** dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 24 calls for a detector configured to activate the navigation unit in response to detecting an interaction between the emergency responder and the emergency response device such that the routing of the emergency responder to the victim based on the position information of the victim and position information of the emergency response device is not determined until an interaction between the emergency responder and the emergency response device is detected.

In the Response to Arguments section of the Office Action, the Examiner acknowledges that this limitation was not considered. Accordingly, it is submitted that **claim 24 and claims 6, 8-10, and 18-20** dependent therefrom distinguish patentably over the references of record.

In order to meet the conciseness requirements of a Pre-Appeal Brief, this paper addresses only the independent claims. The applicant reserves the right to argue each and every dependent claim individually in a subsequently filed Appeal Brief.

CONCLUSION

For the reasons set forth above, it is submitted that **claims 3, 6, 8-11, and 13-26** distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

Respectfully submitted,

Fay Sharpe LLP

July 6, 2011
Date

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